

DEPARTMENT OF HUMAN SERVICES
DIVISION OF YOUTH CORRECTIONS
POLICY AND PROCEDURES

Policy No: 05-09
Subject: Evidence

Effective Date: 11/01/04

Revision Date: 11/15/04

I. Policy Statement

Although the Division is typically not responsible to retain evidence, staff shall follow appropriate procedures, when it is necessary, to temporarily hold evidence until law enforcement can retrieve it.

II. Rationale

Precautions need to be taken to maintain the chain of evidence and to ensure that evidence is not tampered with.

III. Definitions

“Evidence” is anything that tends to prove or disprove an issue in question; any item collected that may be used in the prosecution of a violation of federal or State law and or Department policy and procedures.

The “chain of evidence” is the ability to establish possession of evidence at all times.

IV. Procedures

- A. The person taking control of the evidence at the time it is discovered (i.e., law enforcement, JJS counselor, or case manager) shall place it in an envelope. The envelope shall be sealed and encircled several times with tape. Nylon tape is preferable. If none of this is available, utilize cellophane tape.
- B. In the staff's presence, the person submitting the evidence will put their signature, date, and the time, directly on the tape. The receipt and location of the evidence shall be documented on an Incident Report with a copy on file.
- C. The staff shall place the sealed and signed envelope in the program or facilities' designated secure area.
- D. The facility or program director or designee shall make arrangements to have law enforcement pick up the evidence. When the officer picks up the evidence, he will sign somewhere on the package and on the Incident Report, indicating the time and date he takes possession.

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V. Continuous Renewal

This policy shall be reviewed three (3) years from its effective date to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Board of Youth Corrections and is approved upon the signature of the Director.

Eldon Money, Chairman
Board of Youth Corrections

Date

Blake D. Chard, Director
Division of Youth Corrections

Effective/Revision Date